

Appl. No. 09/854,190  
Amdt. dated December 24, 2003  
Reply to Office action of August 26, 2003

## REMARKS

Reconsideration is respectfully requested. Claims 1 and 2 are present in the application. New claims 3-6 are added.

The specification is amended to correct a typographical error.

The Examiner has rejected claim 1-2 under 35 U.S.C. 103(a) as being unpatentable over prior art Figure 1(a). Applicants respectfully traverse. Applicants' invention provides an arrangement in which the far-field images focused by the laser have a substantially Gaussian intensity distribution. The Examiner states, "that discovering an optimum value of the result effect variable involves only routine skill in the art". However, the applicants have not merely adjusted a value which one skilled in the art is likely to adjust to determine the effect on intensity distribution. In fact it is known in the art that the relationship of center position  $X_0$  to center offset  $X_m$  affects output, not intensity distribution. The relationship is not known to affect the intensity distribution of the beam formed by using concentric electrodes separated by spacers. Only applicants have made this discovery. In fact, it is known to make the center offset  $X_m$  higher than the center position  $X_0$  maximize output. It seems illogical to purposefully decrease the beam output, and unlikely one skilled in the art would try, when it is known that adjusting  $X_m$  to  $X_0$  produces the result

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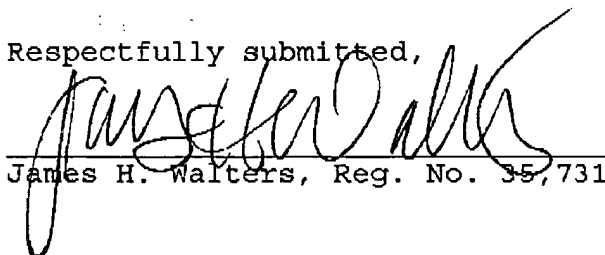
effect on beam output. Indeed it is applicants' discovery, and only applicants' invention as claimed which yields an excellent laser beam having a substantially Gaussian distribution.

The applicants submit new claims 3-6 which also claim inventive subject matter, which should help highlight applicants' inventive discovery and method of providing a Gaussian intensity distribution while using spacers to hold the electrodes concentric to one another.

Reconsideration of the Examiner's rejection and allowance of all the claims in the case is respectfully requested.

In light of the above noted amendments and remarks, this application is believed in condition for allowance and notice thereof is respectfully solicited. The Examiner is asked to contact applicant's attorney at 503-224-0115 if there are any questions.

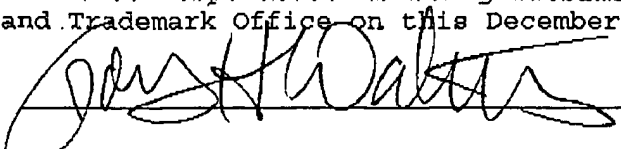
Respectfully submitted,

  
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